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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

In re ARDELYX, INC.

Case No. 4:21-cv-05868-HSG

**STIPULATION AND ORDER FOR
EXTENSION OF TIME TO FILE REPLY
IN SUPPORT OF PLAINTIFF'S
MOTION FOR LEAVE TO FILE
SECOND AMENDED CLASS ACTION
COMPLAINT**

(Civil L.R. 6-1, 6-2, 7-12)

Hon. Haywood S. Gilliam, Jr.

1 Lead Plaintiff Jatin Malhotra (“Plaintiff”) and Defendants Ardelyx, Inc., Mike Raab, and
2 Justin Renz (“Defendants,” and, together with Plaintiff, “Parties”), by and through their
3 undersigned counsel, hereby stipulate and agree as follows and jointly request that the Court enter
4 the Proposed Order below approving this stipulation in the above-captioned case.

5 WHEREAS, on July 28, 2022, the Court so-ordered the Parties’ proposed schedule for the
6 filing of an amended complaint, and responses thereto, under which Plaintiff’s amended complaint
7 was due September 29, 2022; Defendants’ motion to dismiss or other response thereto was due
8 December 2, 2022; Plaintiff’s opposition to Defendants’ motion to dismiss was due January 31,
9 2023; and Defendants’ reply in support of their motion to dismiss was due March 17, 2023 (ECF
10 No. 78);

11 WHEREAS, on September 29, 2022, Plaintiff filed an Amended Class Action Complaint
12 (“FAC”) alleging violations of the federal securities laws (ECF No. 82);

13 WHEREAS, on December 2, 2022, Defendants filed a motion to dismiss the FAC under
14 Fed. R. Civ. P. 12(b)(6) (ECF No. 83);

15 WHEREAS, on January 31, 2023, Plaintiff filed a motion for leave to file a second
16 amended class action complaint (“Motion to Amend”), submitting therewith the Proposed Second
17 Amended Class Action Complaint (ECF Nos. 85 & 86);

18 WHEREAS, also on January 31, 2023, Plaintiff filed his opposition to Defendants’ motion
19 to dismiss the FAC (ECF No. 87);

20 WHEREAS, on February 1, 2023, the Court set a briefing schedule pursuant to the Local
21 Rules of the United States District Court for the Northern District of California relating to
22 Plaintiff’s Motion to Amend under which Responses were due by February 14, 2023, and Replies
23 were due by February 21, 2023 (ECF No. 88);

24 WHEREAS, on February 14, 2023, Defendants filed their opposition to Plaintiff’s Motion
25 to Amend (ECF No. 89);

26 WHEREAS, on February 15 and 16, 2023, the undersigned counsel for the Parties met and
27 conferred regarding an extension to the deadline by which Plaintiff must file his Reply in support
28

of his Motion to Amend, for the reasons set forth in the Declaration of Marc J. Greco filed concurrently herewith in accordance with Civil L.R. 6-2(a)(1)–(3);

WHEREAS, there have been no prior extensions of the deadline by which Plaintiff must file his Reply in support of his Motion to Amend;

WHEREAS, the Parties agree that they do not intend this Stipulation to waive any substantive or procedural rights of the Parties, including their ability to seek any other relief from the Court;

NOW, THEREFORE, the Parties, by and through their undersigned counsel, hereby stipulate, subject to the Court’s approval, that Plaintiff’s deadline to file his Reply in Support of His Motion for Leave is extended to February 28, 2023, from February 21, 2023.

IT IS SO STIPULATED.

DATED: February 17, 2023

Respectfully submitted,

**SCOTT+SCOTT
ATTORNEYS AT LAW LLP**

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and the Proposed Class*

*Counsel for Defendants Ardelyx, Inc.,
Mike Raab, and Justin Renz*

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

2/17/2023

Date



Hon. Haywood S. Gilliam, Jr.
United States District Judge